1 2 3 4 5	Eva M. Weiler (SBN 233942) eweiler@shb.com SHOOK, HARDY & BACON L.L.P. 5 Park Plaza, Suite 1600 Irvine, CA 92614 Phone: (949) 475-1500 / Fax: (949) 475-0016 Attorney for Defendant Gilead Sciences, Inc.		
6	UNITED STATES DISTRICT COURT		
7	NORTHERN DISTRICT OF CALIFORNIA		
8	A D D A A A A A A A A A A A A A A A A A		(0 50 105
9	ADRIAN HOLLEY, et al.,	Case No. 4:18-cv-00	59/2-JST
10	Plaintiffs,		OF EVA M. WEILER IN FENDANT GILEAD
11	VS.	SCIENCES, INC.	'S TENTH MOTION TO
12	GILEAD SCIENCES, INC.,	DISMISS PLAINTIFFS' CLAIMS FOR FAILURE TO SERVE PLAINTIFF FACT	
13	Defendant.	SHEETS	
14		Assigned to:	Hon. Jon S. Tigar
15 16	This Declaration relates to the Plaintiffs listed on Exhibit A and originally filed in the following cases:	Hearing Date: Hearing Time: Location:	February 22, 2024 2:00 p.m. Courtroom 6
		Location.	(by videoconference)
17 18	Danner, et al. v. Gilead Sciences, Inc., 4:23-cv-01517-JST;		
19	Johnson, D., et al. v. Gilead Sciences, Inc., 3:23-cv-01439-JST;		
20	Lytch v. Gilead Sciences, Inc.,		
21	4:23-cv-01715-JST;		
22	Sutton, A., et al. v. Gilead Sciences, Inc.,		
23	4:23-cv-00701-JST;		
24	Sutton, Anita, et al. v. Gilead Sciences, Inc., 4:23-cv-02607-JST.		
25		I	
26			
27			
28		1	
	DECLADATION OF EVA M. WEILED IN SLIDDOR	T OF DEFENDANT CH	EAD CCIENCES INC 'S TENTH

DECLARATION OF EVA M. WEILER IN SUPPORT OF DEFENDANT GILEAD SCIENCES, INC.'S TENTH MOTION TO DISMISS PLAINTIFFS' CLAIMS FAILURE TO SERVE PLAINTIFF FACT SHEETS—No. 4:18-CV-06972-JST

1

2

3

4 5

6

7 8

9

10 11

12

13

14 15

16

17

18

19

20 21

22

23

24 25

26

27

28

DELCARATION OF EVA M. WEILER

I, Eva M. Weiler, declare as follows:

- I am an attorney with Shook, Hardy and Bacon, LLP, am counsel of record for Defendant Gilead Sciences, Inc. ("Gilead"), and am admitted to practice before this Court. I have personal knowledge of the matters set forth below and, if called upon to testify, I could and would testify competently as follows:
- 2. Attached hereto as Exhibit A is a table listing Plaintiffs who, as of the date of the filing of this declaration, have failed to serve Plaintiff Fact Sheets ("PFSs"). Plaintiffs are all parties to the above-captioned action or an action consolidated with the above-captioned action for pretrial purposes. Exhibit A was prepared at my direction and provides the following information:
 - LMI numbers of the Plaintiffs who are subject to this Motion;
 - Names of the Plaintiffs;
 - Case names;
 - Case numbers;
 - Plaintiffs' Counsel;
 - Dates of consolidation;
 - Dates by which PFSs were originally due;
 - Dates to which PFS due dates were extended, by party agreement or Court order (if appropriate);
 - Dates on which Gilead sent delinquency notices for failure to submit PFSs;
 - Dates by which Plaintiffs' responses to Gilead's delinquency notices were due; and
 - Dates of meet and confers or electronic communications with Plaintiffs' counsel (if applicable).
- 3. Gilead offered to meet and confer with Plaintiffs' counsel on November 16, 2023. Included with its offer to Plaintiffs' counsel was a list of Plaintiffs who, at that time, would be subject to Gilead's anticipated Tenth Motion to Dismiss for failure to serve PFSs. Gilead met and conferred with Plaintiffs' counsel, as reflected in Exhibit A.

Case 4:23-cv-01439-JST Document 20-1 Filed 12/20/23 Page 3 of 4

1	4. Attached hereto as Exhibit B are true and correct copies of exemplar PFS delinquency		
2	notices that Gilead sent to each Plaintiff.		
3			
4	I declare under penalty of perjury under the laws of the United States of America that the		
5	foregoing is true and correct. Executed on the 20th day of December, 2023, in Irvine, California.		
6			
7	<u>/s/ Eva M. Weiler</u> Eva M. Weiler		
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
2526			
27			
28	3		
۷۵	Dray and Tray of Frank M. Why and has Countried and Draw of Countried and Indian Province		

DECLARATION OF EVA M. WEILER IN SUPPORT OF DEFENDANT GILEAD SCIENCES, INC.'S TENTH MOTION TO DISMISS PLAINTIFFS' CLAIMS FAILURE TO SERVE PLAINTIFF FACT SHEETS—No. 4:18-cv-06972-JST

CERTIFICATE OF SERVICE I hereby certify that on this 20th day of December, 2023, I electronically filed the foregoing with the Court using the CM/ECF system, and thereby delivered the foregoing by electronic means to all counsel of record. /s/ Eva M. Weiler Eva M. Weiler DECLARATION OF EVA M. WEILER IN SUPPORT OF DEFENDANT GILEAD SCIENCES, INC.'S TENTH

DECLARATION OF EVA M. WEILER IN SUPPORT OF DEFENDANT GILEAD SCIENCES, INC.'S TENTH MOTION TO DISMISS PLAINTIFFS' CLAIMS FAILURE TO SERVE PLAINTIFF FACT SHEETS—No. 4:18-cv-06972-JST